

HON'BLE SRI JUSTICE R. KANTHA RAO

WRIT PETITION NO.27404 OF 2015

ORDER:

Heard the leaned counsel appearing for the petitioner and the learned Counsel appearing for the respondents.

2. The petitioner is the Field Assistant working in the office of the 4th respondent. Basing on the social audit report dated 24.12.2008 wherein it was mentioned that the petitioner misappropriated an amount of Rs.18,467/-, a show cause notice dated 29.12.2011 was issued to the petitioner for which he submitted his explanation. An enquiry was conducted and the petitioner was exonerated of the charges levelled against him. The grievance of the petitioner is that basing on the very same allegations, the third respondent by order dated 26.11.2014 removed him from service. The said order is questioned as arbitrary and illegal in the present writ petition.

3. Perusal of the material on record clearly indicates that the petitioner was removed from service basing on the very same allegations against which earlier order was passed exonerating the petitioner from all the charges levelled against him. Therefore, the impugned order being illegal and without any basis is liable to be set aside in the present writ petition.

4. Consequently, the impugned order, dated 26.11.2014 passed by the third respondent is set aside and the writ petition is allowed. There shall be no order as to costs. Miscellaneous petitions, if any, filed in this writ petition shall stand closed.

R.KANTHA RAO, J

Date:31.08.2015
ccm

THE HON'BLE SRI JUSTICE R.KANTHA RAO

-
-
-
-

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

WRIT PETITION NO.27404 OF 2015

-
-

DATE:31.08.2015

ccm